



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

# COLUMBIA LAW REVIEW

Issued monthly during the Academic Year by Columbia Law Students

---

SUBSCRIPTION PRICE \$4.50 PER VOLUME. SEVENTY CENTS PER CURRENT NUMBER  
If a subscriber wishes his copy of the Review discontinued at the expiration of his subscription, notice to that effect should be sent; otherwise, it is assumed that a continuation of the subscription is desired.

---

## Editorial Board

OLIVER B. JAMES, *Editor-in-Chief*  
GEORGE C. SHARP, *Secretary*  
ALBERT G. REDPATH, *Business Manager*  
CARROLL B. LOW, *Note Editor*  
LEONARD ACKER, *Decisions Editor*  
HERBERT W. HALDENSTEIN, *Associate Decisions Editor*  
SANFORD D. LEVY, *Book Review Editor*  
JONAS J. SHAPIRO  
ALLEN VAN WYCK  
LOUIS F. HUTTENLOCHER  
A. DEWITT MASON, JR.  
ALVIN S. ROSENSON  
NATHAN W. WILENSKY

JACOB Z. STEIN  
WALLACE P. ZACHRY  
WILLIAM D. FUGUET  
CHARLES E. GATELY  
MAURICE ISERMAN  
WILLIAM K. LAWS  
GEORGE E. NETTER  
ARON S. W. STEUER  
CHARLES L. SYLVESTER  
HENRY COSTER  
WILLIAM V. GOLDBERG  
LAURENCE A. KAHN  
KENNETH B. LOW

WILLIAM R. CARLISLE

M. D. NOBIS, *Business Secretary of the Columbia Law Review*

## Trustees of the Columbia Law Review

HARLAN F. STONE, Columbia University, New York City  
GEORGE W. KIRCHWEY, Columbia University, New York City  
JOSEPH P. CORRIGAN, 3 East 10th Street, New York City  
GEORGE A. ELLIS, 120 Broadway, New York City

Address all Communications to: Kent Hall, Columbia University, New York City

---

FEBRUARY, NINETEEN HUNDRED AND TWENTY TWO

---

## CONTRIBUTORS TO THIS ISSUE

CUTHBERT W. POUND, Professor of Law in Cornell University, 1895-1904. Justice of the Supreme Court of New York, 8th Judicial District, 1906-1915. Judge of the New York Court of Appeals, since 1915.

EARL C. ARNOLD, A. B., Baker University, 1906; LL. B., Northwestern Law School, 1909; Assistant to the Solicitor, U. S. Department of Agriculture, 1911-1914; Professor of Law, University of Cincinnati College of Law, since 1914.

ROBERT T. SWAINE, Ph. B., State University of Iowa; LL. B., Harvard Law School, 1910; Member of the New York Bar.

THOMAS REED POWELL, A. B., Vermont, 1900; LL. B., Harvard, 1904; Ph. D., Columbia, 1913. Professor of Constitutional Law in the Columbia Law School.